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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION  
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11 TASHNA S. RABALAIS,  
12 Petitioner,  
13 vs.  
14 SARGENT HANEY, et al.  
15 Respondent.  
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Case No. CV 08-4252-ODW (JWJ)

ORDER ADOPTING  
REPORT AND  
RECOMMENDATION  
OF UNITED STATES  
MAGISTRATE JUDGE

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18 Pursuant to 28 U.S.C. § 636(b)(1)(C), the Court has reviewed the  
19 instant Petition and other papers along with the attached Report and  
20 Recommendation of the United States Magistrate Judge, and has made a de  
21 novo determination of the Report and Recommendation. The Court concurs  
22 with and adopts the conclusions of the Magistrate Judge.

23 IT IS ORDERED that a Judgment be entered dismissing the instant  
24 Petition for Writ of Habeas Corpus without prejudice as unexhausted.

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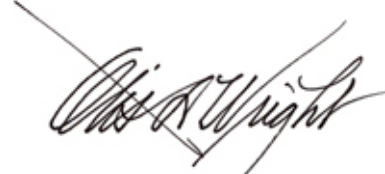
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1 IT IS FURTHER ORDERED that the Clerk shall serve forthwith a copy  
2 of this Order and the Judgment of this date on petitioner.

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4 DATED: December 3, 2008

A handwritten signature in cursive script, appearing to read "Otis D. Wright, II", is written over a horizontal line.

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7 OTIS D. WRIGHT, II  
8 United States District Judge  
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